



US Army Corps  
Of Engineers  
Wilmington District

# PUBLIC NOTICE

Issue Date: September 26, 2007  
Comment Deadline: October 26, 2007  
Corps Action ID #: 2007-3014

The Wilmington District, Corps of Engineers (Corps) has received an application from Redtail-Gaston, LLC, seeking Department of the Army authorization to construct the Eaton's Crossing Shoreline Redevelopment project, consisting of five boathouses, two day dock structures (120 total slips), and the resurfacing and repair of an existing boat ramp, on the Lake Gaston shoreline, to accommodate the new Eaton's Crossing residential community, in Warren County, North Carolina.

Specific plans and location information are described below and shown on the attached plans. This Public Notice and all attached plans are also available on the Wilmington District Web Site at [www.saw.usace.army.mil/wetlands](http://www.saw.usace.army.mil/wetlands)

**Applicant:** Redtail-Gaston, LLC  
941 Meadow Lane  
Henderson, NC 27536

**Agent:** Kerr Environmental Services Corp.  
1008 Old Virginia Beach Road, Suite 200  
Virginia Beach, VA 23451

## Authority

The Corps will evaluate this application and decide whether to issue, conditionally issue, or deny the proposed work pursuant to applicable procedures of Section 10 of the Rivers and Harbors Act of 1899, and Section 404(b) of the Clean Water Act (33 U.S.C. 1344).

## Location

Approximately 79 acres, formerly known as Eatons Ferry Campground, just west of the southern end of Eatons Ferry Bridge and Eatons Ferry Marina, and east of the River Forest residential development, west of NC 903, on the southern shore of Lake Gaston, north of Littleton, in Warren County (Property center at ~ 36.506° N Latitude, -77.97° W Longitude), North Carolina.

## **Existing Site Conditions**

The general area to be impacted consists of approximately 6,500 linear feet of shoreline at the site of a former campground. The site has been abandoned since 2003. The western shoreline of the site has an existing boat ramp, but approximately 70 piers (140 slips) that were at the site have been removed. The upland above the shoreline is vegetated with mature hardwood and pine trees with little understory growth, with the exception of four low flat wetland areas in the 'coves' along the shore, which have dense herbaceous and shrub vegetation. Also, there are several shallow areas along the shoreline that have occurrences of the emergent plant, *Justicia americana* (water willow).

## **Applicant's Stated Purpose**

The applicant's purpose is to construct boathouses and dock structures to service the residents of the new residential development on the site.

## **Project Description**

Plans submitted with the application show the construction of five 20-slip boathouses and two 10-slip day dock structures, for a total of 120 slips, and the resurfacing and repair of an existing 17-foot wide by 20-foot long boat ramp (374 square feet), along approximately 6,500 linear feet of shoreline. No wetland and water willow areas would be directly impacts by construction of the boathouses and docks, or the boat ramp repair. No fueling stations, boat maintenance facilities, or restrooms associated with the boat slip facilities are planned, and no dredging is required. No work would occur in Lake Gaston between March 1<sup>st</sup> and June 30<sup>th</sup>.

The current plan for the Eaton's Crossing residential development on the upland calls for development of detached single-family houses, with 98 lots with views of the lake.

A Draft Environmental Assessment (EA) for the "Eaton's Crossing Shoreline Redevelopment Project, Littleton, Warren County, North Carolina" was submitted by the applicant to Dominion Power on May 30, 2007, and a Final EA was submitted to Dominion Power on September 17, 2007.

## **Alternatives**

In the Draft EA, the applicant considered the following alternatives, but eliminated them from further analysis:

- 1) A fork lift basin and dry dock facility
- 2) Single family homes or townhomes and individual boat slips for each lot
- 3) Cul-de-sac, 20-car parking lot and walking path within the Dominion Power easement on Lake Gaston.

## **Other Required Authorizations**

This notice and all applicable application materials are being forwarded to the appropriate State agencies for review. The Corps will generally not make a final permit decision until the North Carolina Division of Water Quality (NCDWQ) issues, denies, or waives State certification required by Section 401 of the Clean Water Act (PL 92-500). The receipt of the application and this public notice combined with appropriate application fee at the North Carolina Division of Water Quality central office in Raleigh will constitute initial receipt of an application for a 401 Water Quality Certification. A waiver will be deemed to occur if the NCDWQ fails to act on this request for certification within sixty days of the date of the receipt of this notice in the NCDWQ Central Office. Additional information regarding the Clean Water Act certification may be reviewed at the NCDWQ Central Office, 401 Oversight and Express Permits Unit, 2321 Crabtree Boulevard, Raleigh, North Carolina 27604-2260. All persons desiring to make comments regarding the application for certification under Section 401 of the Clean Water Act should do so in writing delivered to the North Carolina Division of Water Quality (NCDWQ), 1650 Mail Service Center, Raleigh, North Carolina 27699-1650 Attention: Ms Cyndi Karoly by October 19, 2007.

## **Cultural Resources**

The Corps has consulted the latest published version of the National Register of Historic Places and is not aware that any registered properties, or properties listed as being eligible for inclusion therein are located within the permit area or will be affected by the proposed work under consideration for a permit. However, the applicant conducted a Phase 1B archaeological assessment for the entire site, and found 19 sites containing artifacts; two of the sites out of the permit area are considered "potentially eligible for nomination to the National Register", and the applicant has conducted Phase II archaeological boundary determinations for both sites, and has committed to avoiding direct impact to the two archaeological sites from the upland development.

## **Endangered Species**

The Corps has reviewed the project area, examined all information provided by the applicant and consulted the latest North Carolina Natural Heritage Database. Based on available information, the Corps has determined pursuant to the Endangered Species Act of 1973, that the proposed project will have no effect on federally listed endangered or threatened species or their formally designated critical habitat.

## **Evaluation**

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors

which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values (in accordance with Executive Order 11988), land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving the discharge of dredged or fill materials in waters of the United States, the evaluation of the impact of the activity on the public interest will include application of the Environmental Protection Agency's 404(b)(1) guidelines.

### **Commenting Information**

The Corps of Engineers is soliciting comments from the public; Federal, State and local agencies and officials, including any consolidate State Viewpoint or written position of the Governor; Indian Tribes and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing shall be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

Written comments pertinent to the proposed work, as outlined above, will be received by the Corps of Engineers, Wilmington District, until 5pm, October 26, 2007. Comments should be submitted to:

Eric Alsmeyer  
Wilmington District, Corps of Engineers  
Raleigh Regulatory Field Office  
6508 Falls of Neuse Road, Suite 120  
Raleigh, North Carolina 27615-6814  
Telephone (919) 876-8441 , Extension 23

**RECEIVED**

SEP 14 2007

RALEIGH REGULATORY FIELD OFFICE



**Kerr Environmental  
Services Corp.**

*Sustainable Ecological Restoration  
and Environmental Consulting*

1008 Old Virginia Beach Rd  
Suite 200 Ph: 757.963.2008  
Virginia Beach, VA 23451 Fax: 757.963.8322

DESIGNER: The Design Response, Inc.  
1014 High House Road, #100 Cary, NC 27513  
Phone: (919) 469-2080 Fax: (919) 469-6633

## VICINITY MAP

# EATON'S CROSSING at LAKE GASTON

WARREN COUNTY, NORTH CAROLINA

NO SCALE



PURPOSE: PERMITTING  
RECEIVING WATER BODY: LAKE GASTON  
LATITUDE: 36°30'37" N  
LONGITUDE: 77°58'08" W  
DATUM: NAD 27

DATE  
9-4-07

SHEET  
**1** of 6



**Kerr Environmental  
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## AERIAL VIEW

# EATON'S CROSSING at LAKE GASTON

WARREN COUNTY, NORTH CAROLINA

NO SCALE



PURPOSE: PERMITTING  
RECV WATER BODY: LAKE GASTON  
LATITUDE: 36.3037N  
LONGITUDE: 77.5837W  
DATUM: NAD27

DATE  
9-4-07

SHEET  
**2** of 6

LOCATION OF ROADS ARE BASED ON  
AERIAL PHOTOGRAPHS AND FIELD  
NOTES AND ARE APPROXIMATE

## LEGEND

EXISTING  
BEACH FEATURE

--- LIMITS OF  
DOMINION'S LAND

- - - UNCONFIRMED  
WETLANDS

EXISTING  
BOAT  
RAMP

## EXISTING CONDITIONS

# EATON'S CROSSING at LAKE GASTON

WARREN COUNTY, NORTH CAROLINA

SCALE 1"=300'



PURPOSE: PERMITTING  
REG WATER BODY: LAKE GASTON  
LATITUDE: 36 3037 N  
LONGITUDE: 77 5808 W  
DATUM: NAD 27

DATE  
9-4-07

SHEET  
3 of 6



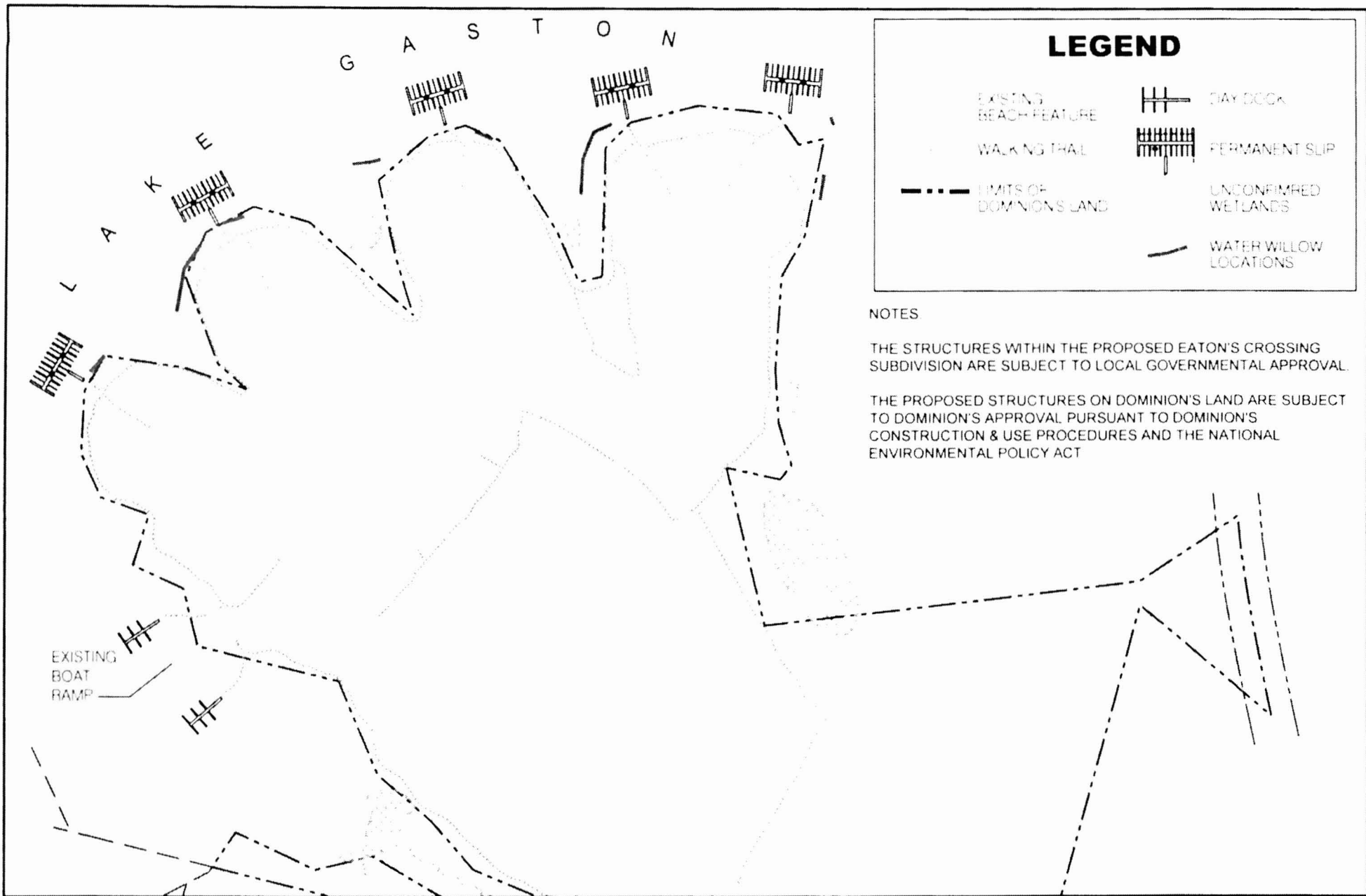
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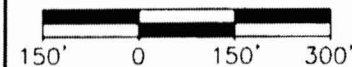
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## PROPOSED ACTION

# EATON'S CROSSING at LAKE GASTON

WARREN COUNTY, NORTH CAROLINA

SCALE: 1" = 300'



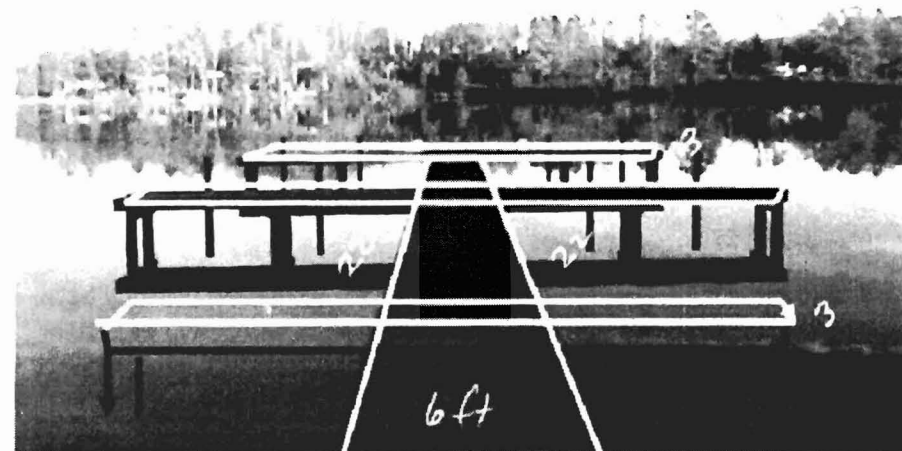
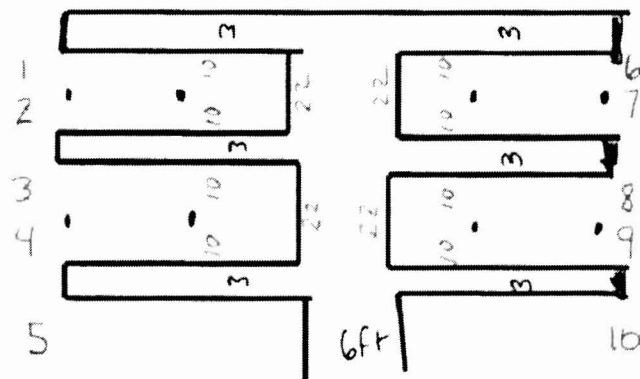
PURPOSE: PERMITTING  
REC'D WATER BODY: LAKE GASTON  
LATITUDE: 36 30 37 N  
LONGITUDE: 77 58 08 W  
DATUM: NAD 27

DATE  
9-4-07

SHEET  
**4 of 6**



# Day Docks Design (10 slips)



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## **10-SLIP CONFIGURATION**

**EATON'S CROSSING at LAKE GASTON**  
WARREN COUNTY, NORTH CAROLINA

NO SCALE



PURPOSE: PERMITTING  
REC'D WATER BODY: LAKE GASTON  
LATITUDE: 36 30.37 N  
LONGITUDE: 77 58.08 W  
DATUM: NAD 27

DATE  
9-4-07

SHEET  
**5 of 6**



SHEET  
**6** of 6

PURPOSE PERMITTING  
REG WATER BODY LAKE GASTON  
LATITUDE 36 30.37 N  
LONGITUDE 77 58.08 W  
DATUM NAD 27